

REMARKS

Claims 1-22 were pending in the application. Applicants have amended claims 5 and 18 and cancelled claims 1-4, 6-7, and 11-17 from further consideration in this application. Support for the claim amendments can be found at paragraph [0028] of Applicants' specification. Applicants are not conceding in this application that those claims are not patentable over the art cited by the Examiner. Applicants respectfully reserve the right to pursue these and other claims in one or more continuations and/or divisional patent applications. Applicants respectfully request reconsideration of the pending claims 6, 8-10, and 18-22 in light of the amendments and the following remarks.

CLAIM REJECTIONS UNDER 35 USC §103

The Office Action rejected claims 1-4 and 18-22 under 35 USC 103(a) as being unpatentable over Smith in view of Feldbaum et al. (Patent No. 6,446,246) and Grovit (Pub. No. 2003/0074310). These claims have been canceled without prejudice and may be prosecuted in a continuation application. Therefore, the rejection is now moot.

The Office Action rejected claims 5-17 under 35 USC 103(a) as being unpatentable over Feldbaum and further in view of Smith and Grovit (Pub. No. 2003/0074310).

Claim 5, as amended, is not unpatentable over Feldbaum in view of Smith and Grovit. Feldbaum teaches a message queuing access control method to authenticate messages. Feldbaum's system is specifically limited to authenticating the messages and confirming access based on signature verification only. The present invention determines if a message can be received by a target program. Access denial in the present invention is not limited to verification issues;; access may be denied due to bandwidth issues.

Feldbaum teaches away from the claimed invention wherein a determination is first made as to whether the target program is able to receive the message; and if not, the Queue

Manager stores the message **for later delivery**, and then notifies the source program to stop sending data. Feldbaum does not hold the message for delivery at a later time because Feldbaum is only concerning with authentication issues. If Feldbaum's message cannot be delivered, it is assumed to be an invalid message or sender, so the message is simply dropped, not stored and re-sent. Feldbaum does not notify the source program to stop sending data, it merely reports the send failure. "If the access is denied, the MQ server handles the denied-access event (step 168). The possible handling may include (according to the message properties) sending a negative acknowledgment to the sending MQ server, placing the message in a Dead Letter Queue, etc."

[Feldbaum, Col. 8, lines 54-58]

The Office Action at pages 6 and 7 states: "Feldbaum doesn't explicitly disclose for integrating applications hosted at different enterprises separated by at least one firewall; the agent acting as a spoke in a hub and spoke integration system and the server acting as a hub in another hub and spoke integrating system." The Office Action goes on to state that Smith discloses a firewall. The Office Action further states that Grovit discloses an agent. Smith's firewall, Grovit's agent, and Feldbaum's access control system, even if combined, do not teach all of the elements of the method as recited in claim 5; therefore claim 5 is not unpatentable over Feldbaum in view of Smith, and further in view of Grovit.

Claims 6-7 have been canceled, thus mooting their rejections.

Claims 8-10 are dependent on claim 5. They are therefore patentable over the cited references for at least the same reasons that their parent claim 5 is patentable.

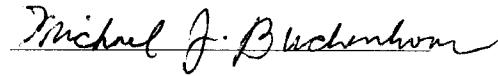
Independent claim 18 is also not unpatentable over the cited references because it recites a method for storing an encrypted MQ message in a hub and spoke system and transmitting the message at a later time when the target server (acting as a hub in another hub and spoke system) is able to receive it. As stated earlier with respect to claim 5, neither Feldbaum, nor Smith, nor Grovit teach these claim elements. "A prior patent must be considered in its entirety, i.e., as a whole, including portions that would lead away from the invention in suit." *W. L. Gore & Assoc., Inc. v. Garlock, Inc.*, 721 F.2d 1540, 1550, 220 USPQ 303, 311 (Fed. Cir. 1983), *cert. denied* 469 U.S. 851 (1984).

Serial Number 10/712,665
Docket Number SVL920030058US1
Amendment1 Page 7 of 7

Claims 19-22 are dependent on claim 18 and as such are patentable for at least the same reasons that claim 18 is patentable over the cited references.

For the foregoing reasons, Applicant respectfully requests allowance of the pending claims.

Respectfully submitted,



Michael J. Buchenhorner
Reg. No. 33,162

E-filed on Date: May 6, 2008

Michael Buchenhorner, P.A.
8540 S.W. 83 Street
Miami, Florida 33143
(305) 273-8007 (voice)
(305) 595-9579 (fax)